

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW IMMEDIATE

C O N F I D E N T I A L STATE 231688

FOL REPEAT USUN NY 3878 SENT ACTION SECSTATE OCT 9

QTE

C O N F I D E N T I A L USUN 3878

E.O. 11652: GDS

TAGS: UN, PFOR, UR

SUBJECT: LEGAL COMITE - DEFINITION OF AGGRESSION

- 1-. KOLESNIK(USSR) APPRAOCHED DELOFF AND ASKED FOR US COMMENTS ON PROPOSED DRAFT RES FOR ADOPTION OF AGGRESSION DEFINITION.
 2. WHEN DELOFF READ AS FAR AS OPERATIVE PARA 4 AND WAS ABOUT TO SAY A NUMBER OF VERY NEGATIVE WORKDS KOLENIK JUMPED IN TO SAY HE RECOGNIZED PARAGRAPH 4 WOULD CREATE SOME PROBLEMS. HE SAID HE HAD BEEN INSTRUCTED ON VERY HIGH AUTHORITY TO OBTAIN LANGUAGE ALONG LINES CONTAINED PARA 4. HE URGED THAT ENTIRE TEXT BE KEPT BETWEEN US AND USSR DELS UNTIL SOMETHING COULD BE WORKED OUT.
 3. DELOFF EXPRESSED GREAT PESSIMISM THAT AGREEMENT LIKELY IF KOLESNIK WOULD PRESS FOR ANYTHING LIKE PARA 4. DELOFF SAID PARA WAS DIRECTLY CONTRARY TO WHAT HE KNIEW TO BE OUR VIESS OF ROLE OF DEFINITION AND RAISED ALL SORTS OF PROBLEMS. KOLESNIK URGED DELOFF TO TRY
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TO COME UP WITH SOME LANGUAGE. DELOFF REITERATED

PESSIMISM BUT AGREED WE SHOULD BOTH THINK FURTHER ON THE PROBLEM.

4. TEXT READS AS FOLLOWS:

"THE GENERAL ASSEMBLY,
HAVING CONSIDERED THE REPORT OF THE SPECIAL
COMMITTEE ON THE QUESTION OF DEFINING AGGRESSION ON
THE WORK OF ITS SEVENTH SESSION, HELD IN NEW YORK FROM
11 MARCH TO 12 APRIL 1947,
CONSIDERING THAT, IN ITS RESOLUTIONS 2330 (XXII)
OF 18 DECEMBER 1947, 2420 (XXIII) OF 18 DECEMBER 1948,
2549 (XXIV) OF 12 DECEMBER 1949, 2644 (XXV) OF 25 NOVEMBER
1950, 2781 (XXVI) OF 3 DECEMBER 1951, 2967 (XXVII) OF
14 DECEMBER 1952 AND 3105 (XXVIII) OF 12 DECEMBER 1953
5#3 & 3,34-) ASSEMBLY RECOGNIZED THE WIDESPREAD CONVICTION
OF THE NEED TO ELABORATE THE DEFINITION OF AGGRESSION.
DEEPLY CONVINCED THAT THE EXISTENCE OF THE
GENERALLY RECOGNIZED DEFINITION OF AGGRESSION WOULD
CONTRIBUTE TO THE STRENGTHENING OF WORLD PEACE AND
SECURITY,

1. APPROVES THE DEFINITION OF AGGRESSION, THE
TEXT OF WHICH IS ANNEXED TO THE PRESENT RESOLUTION;
2. EXPRESSES ITS APPRECIATION TO THE SPECIAL
COMMITTEE ON THE QUESTION OF DEFINING AGGRESSION FOR
ITS WORK RESULTING IN THE ELABORATION OF THE DEFINITION
OF AGGRESSION;
3. CALLS UPON ALL STATES TO REFRAIN, IN
ACCORDANCE WITH THEIR OBLIGATIONS UNDER THE CHARTER OF
THE UNITED NATIONS, IN INTERNATIONAL RELATIONS FROM ACTS,
WHICH ARE QUALIFIED AS ACTS OF AGGRESSION IN THE DEFINITION;
4. RECOMMENDS THAT THE SECURITY COUNCIL SHALL
GIVE AS SOON AS POSSIBLE DUE CONSIDERATION TO THE DEFINITION
OF AGGRESSION WITH A VIEW OF DECLARING IT IN
A BINDING DECISION A GUIDANCE FOR THE PURPOSES OF
ESTABLISHING THE EXISTENCE OF AN ACT OF AGGRESSION IN
ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS, IN
ALL CASES WHERE THE NECESSITY TO ESTABLISH THE EXISTENCE
OF AN ACT OF AGGRESSION ARISES;
OR ALTERNATIVELY,
4. RECOMMENDS THAT THE SECURITY COUNCIL SHOULD
TAKE, AS SOON AS POSSIBLE, APPROPRIATE MEASURES TO GIVE
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TO THE DEFINITION THE NATURE OF A BINDING GUIDANCE FOR
THE PURPOSES OF ESTABLISHING THE EXISTENCE OF AN ACT OF
AGGRESSION IN ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS."SCAL
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TAGS: PFOR, UR, UN
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